

BY Freel Baer

H.B. 326

A BILL TO BE ENTITLED
AN ACT

1

2 relating to education requirements of the Auctioneers Act

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 3, Chapter 320, Acts of the 64th Legislature, Regular
5 Session, 1975 (Article 8700, Vernon's Texas Civil Statutes), is amended to read
6 as follows :

7 Section 3. LICENSE REQUIREMENTS

8 (a) Except as exempted under this Act, no person may act as an
9 auctioneer or associate auctioneer in an auction held within this state unless he
10 holds a license issued by the commissioner under this Act.

11 (b) A person is eligible for an auctioneer's license if he:

12 (1) is at least 18 years of age[,] and must have obtained a high school
13 diploma or equivalency certificate;

14 (2) is a citizen of the United States or a legal alien;

15 (3) has not been convicted of a felony involving moral turpitude during the
16 five years preceding the date of application;

17 (4) has completed not less than 80 hours of classroom instruction at an
18 auction school having a curriculum approved by the department;

20 (5) either (i) passes a written or oral examination demonstrating his
21 knowledge of the auction business and the laws of this state
22 pertaining to the auction business; or (ii) shows proof of his

23 employment by a licensed auctioneer for a period of [one year] two years
24 during which the applicant has participated in at least [five auctions] ten
25 auctions.

26 SECTION 2. (A) Except as provided by Subsection (b), this Act takes
27 effect September 1, 1999.

28 SECTION 3. The importance of this legislation and the crowded condition
29 the calendars in both houses create an emergency and an imperative public
30 necessity that the constitutional rule requiring bills to be read on three several
31 days in each house be suspended, and this rule is hereby suspended.

JOINT AUTHOR AUTHORIZATION

As primary author of HB 326 I hereby authorize the following joint author(s):
(bill or resolution #)

Oliveira
printed name of joint author #1

signature of joint author #1

Rick Green
printed name of joint author #2

[Signature]
signature of joint author #2

printed name of joint author #3

signature of joint author #3

printed name of joint author #4

signature of joint author #4

[Signature]
signature of primary author

3/25/99
date

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H.B. No. 326

By F. Brown

A BILL TO BE ENTITLED
AN ACT

relating to education requirements of the Auctioneers Act

NOV 25 1998

Filed with the Chief Clerk

FEB 03 1999

Read first time and referred to Committee on

Licensing & Admin. Procedures

Reported favorably (as amended)
(as substituted)

Sent to Committee on (Calendars)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of yeas, nays, present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(yeas, nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(yeas, nays)

Senate and Constitutional 3 Day Rules suspended by a vote of yeas, nays

Read third time, _____, and passed by (a viva voce vote)
(yeas, nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)